

RETURN DATE: AUGUST 4, 2015

CITY OF TORRINGTON,  
Plaintiff

V.

ROBERT T. CROVO, D.P.M.,  
Defendant.

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:

:

SUPERIOR COURT

J.D. OF LITCHFIELD

AT LITCHFIELD

JUNE 25, 2015

COMPLAINT

1. The plaintiff, the City of Torrington, acting through its Mayor, Hon. Elinor C. Carbone, is a Connecticut municipality charged by the legislature with collecting revenue for public purposes through a statutory system of municipal tax collection.
2. The defendant, Robert Crovo, DPM, was the appointed tax collector for the City of Torrington, from approximately 1999, until May 31, 2015.
3. Acting in his capacity as a public official, the defendant received overpayments of taxes, and continues to hold these overpayments without authority to do so.
4. The defendant is holding overpayments for the following Grand List years, in the following amounts:
  - GL Year 2010 \$ 85,026.48
  - GL Year 2011 \$ 77,980.53
  - GL Year 2012 \$ 184,031.32
  - GL Year 2013 (approximately) \$ 145,804.67
5. The overpayments held by the defendant total \$ 492,843.
6. The defendant is also holding another (approximately) \$ 90,000.00, in jeopardy tax collections.
7. Said \$ 90,000.00, however, is currently shown in the recording practices used by the defendant, as overpayments for GL Year 2013, in addition to the aforesaid \$ 145,804.67.

8. The approximately \$ 90,000.00, received by the defendant as jeopardy collections needs to be turned over immediately to the current tax Collector. This is necessary in order for these funds to be properly credited to the respective tax accounts for the 2014 GL Year taxes. The 2014 GL Year taxes will be coming due on July 1, 2015.
9. The plaintiff has made formal, written demand of the defendant to return the overpayments and jeopardy tax collections.
10. The defendant had a duty to turn over all overpayments and jeopardy tax collections to the City of Torrington at the expiration of his appointment, and he has failed to do so.
11. The defendant has no right to continue to hold these proceeds.
12. The plaintiff has a right to have these proceeds in its possession to protect the interests of the public, and to be able to continue with the uninterrupted collection of municipal taxes and sewer user fees.
13. The plaintiff has no other adequate remedy available.

WHEREFORE, the plaintiff claims a writ of mandamus ordering the defendant: (1) to return all overpayments; (2) all jeopardy tax collections; AND (3) provide the plaintiff with an accounting of all jeopardy tax collections made in 2014-2015.

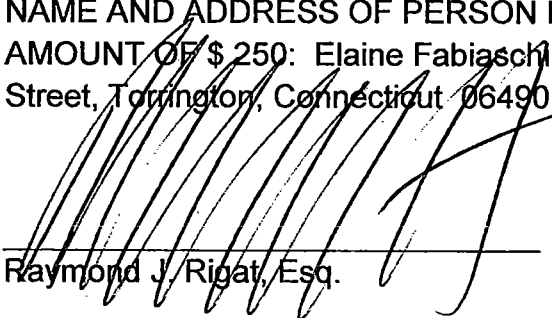
THE PLAINTIFF  
CITY OF TORRINGTON  
Hon. Elinor C. Carbone, Mayor

By:   
Raymond J. Rigat, Esq.  
Corporation Counsel  
140 Main Street  
Torrington, Connecticut 06790  
Tel. (860) 489-2526  
Fax: (860) 489-2581  
e-mail: raymond\_rigat@torringtonct.org

FOR THE PLAINTIFF PLEASE ENTER THE APPEARANCE OF:

Raymond J. Rigat, Esq., Office of the Corporation Counsel, 140 Main Street, Torrington, Connecticut 06490. Telephone Number: (860) 489-2526. Juris Number: 403047.

NAME AND ADDRESS OF PERSON RECOGNIZED TO PROSECUTE IN THE  
AMOUNT OF \$ 250: Elaine Fabiaschi, Office of the Corporation Counsel, 140 Main  
Street, Torrington, Connecticut 06490. Telephone Number: (860) 489-2526.



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Raymond J. Rigat, Esq.

CITY OF TORRINGTON,  
Plaintiff

V.

ROBERT T. CROVO, D.P.M.,  
Defendant.

:

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SUPERIOR COURT

J.D. OF LITCHFIELD

AT LITCHFIELD

JUNE 25, 2015

APPLICATION FOR TEMPORARY ORDER OF MANDAMUS

The plaintiff, the City of Torrington, acting through its Mayor, Hon. Elinor C. Carbone, represents:

1. The plaintiff, the City of Torrington, acting through its Mayor, Hon. Elinor C. Carbone, is a Connecticut municipality charged by the legislature with collecting revenue for public purposes through a statutory system of municipal tax collection.
2. The defendant, Robert Crovo, DPM, was the appointed tax collector for the City of Torrington, from approximately 1999, until May 31, 2015.
3. Acting in his capacity as a public official, the defendant received overpayments of taxes, and continues to hold these overpayments without authority to do so.
4. The defendant is holding overpayments for the following Grand List years, in the following amounts:
  - GL Year 2010 \$ 85,026.48
  - GL Year 2011 \$ 77,980.53
  - GL Year 2012 \$ 184,031.32
  - GL Year 2013 (approximately) \$ 145,804.67
5. The overpayments held by the defendant total \$ 492,843.
6. The defendant is also holding another (approximately) \$ 90,000.00, in jeopardy tax collections.
7. Said \$ 90,000.00, however, is currently shown in the recording practices used by the defendant, as overpayments for GL Year 2013, in addition to the aforesaid \$145,804.67.

State of Connecticut  
Post Date: 06/26/2015  
Payroll: 1517741-1  
Docket: CV1550077345  
Receipt No: 0414463  
Amount: \$350.00

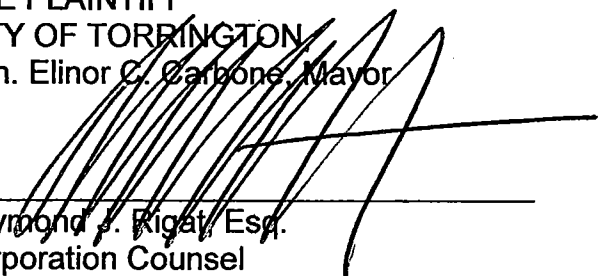
OFFICE OF THE CLERK  
SUPERIOR COURT  
2015 JUN 26 AM 10 27  
JUDICIAL DISTRICT OF  
LITCHFIELD  
STATE OF CONNECTICUT

CV-15-508-7734

8. The approximately \$ 90,000.00, received by the defendant as jeopardy collections needs to be turned over immediately to the current tax Collector. This is necessary in order for these funds to be properly credited to the respective tax accounts for the 2014 GL Year taxes. The 2014 GL Year taxes will be coming due on July 1, 2015.
9. The plaintiff has made formal, written demand of the defendant to return the overpayments and jeopardy tax collections.
10. The defendant had a duty to turn over all overpayments and jeopardy tax collections to the City of Torrington at the expiration of his appointment, and he has failed to do so.
11. The defendant has no right to continue to hold these proceeds.
12. The plaintiff has a right to have these proceeds in its possession to protect the interests of the public, and to be able to continue with the uninterrupted collection of municipal taxes and sewer user fees.
13. The plaintiff has no other adequate remedy available.

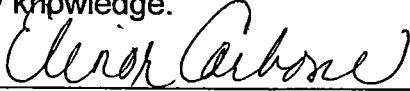
WHEREFORE, the plaintiff claims a writ of mandamus ordering the defendant: (1) to return all overpayments; (2) all jeopardy tax collections; AND (3) provide the plaintiff with an accounting of all jeopardy tax collections made in 2014-2015.

THE PLAINTIFF  
CITY OF TORRINGTON  
Hon. Elinor C. Carbone, Mayor

By:   
Raymond J. Rigat, Esq.  
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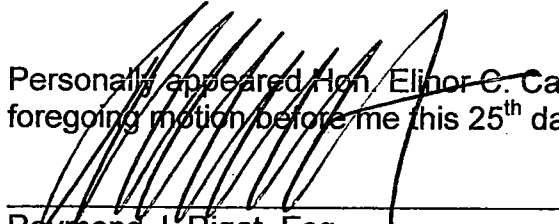
VERIFICATION

I, Hon. Elinor C. Carbone, swear that the above statements are true to the best of my knowledge.



Hon. Elinor C. Carbone

Personally appeared Hon. Elinor C. Carbone who made oath to the truth of the foregoing motion before me this 25<sup>th</sup> day of June, 2015.



Raymond J. Rigat, Esq.

Commissioner of the Superior Court

CITY OF TORRINGTON,  
Plaintiff

V.

ROBERT T. CROVO, D.P.M.,  
Defendant.

SUPERIOR COURT

J.D. OF LITCHFIELD

AT LITCHFIELD

JUNE 25, 2015

ORDER TO SHOW CAUSE

To any Proper Officer:

By authority of the state of Connecticut you are hereby commanded to summon Robert T. Crovo, DPM to appear before the Superior Court for the judicial district of Litchfield at the Litchfield courthouse at 15 West Street, Litchfield, Connecticut, on

July 13, 2015 then and there to show cause why the foregoing application and verified motion of the City of Torrington for an order of mandamus should not be granted, by serving on Robert T. Crovo, DPM in the manner prescribed by law, a true and attested copy of the application, verified motion and of this summons on or before June 30, 2015 and make return to this court.

Dated at Litchfield this 26<sup>th</sup> day of June, 2015.

BY THE COURT (Richard J.)



Court  
Judge / Clerk